

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

UNITED STATES OF AMERICA,	)	CASE NO. 4:14 CR 24
	)	
Petitioner,	)	JUDGE DONALD C. NUGENT
	)	
v.	)	
	)	
REGINALD D. SCRIVENS, JR.,	)	<u>MEMORANDUM OPINION</u>
	)	<u>AND ORDER</u>
Respondent.	)	

This matter comes before the Court upon Defendant, Reginald Scrivens, Jr.'s Motion to Reinstate Motion Under Title 28 U.S.C. § 2255. (ECF #32). Mr. Scrivens seeks to have the Motion, (ECF #26), reinstated so that he may voluntarily withdraw it. He claims that he should have had until at least the date his Reply to the Government's Response was due to be allowed to voluntarily withdraw his motion, and presumably preserve his right to file a future §2255 motion without having it be considered a second or successive motion under 28 U.S.C. § 2255(h). There is no basis in law for this position. He does not argue that the ruling denying his motion, (ECF #31), was incorrect in fact or law, or that there is information currently available to him that was not known at the time he filed his original motion. Therefore, there is no legitimate reason for this Court to reinstate his motion. For these reasons, the Defendant's Motion, (ECF #32), is hereby, DENIED.

  
DONALD C. NUGENT  
United States District Judge

DATED: August 21, 2017